

FARAD CONTINUATION SHEET NO:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.1497 OF 2006
IN
WRIT PETITION NO.3789 OF 1998

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	:	Court's or Judge's orders.
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Mr.R.S.Apte for the applicant.
Mr.H.D.Kode i/b Mr.N.V.Bandiwadekar for the
respondent.

CORAM: D.B.BHOSALE, J.
DATED: 9TH FEBRUARY, 2007

P.C.:

. Heard learned counsel for the parties.

2. By this civil application the applicant is seeking restoration of the writ petition which came to be dismissed for non prosecution in view of the conditional order passed on 12.3.1999. It is common ground that the order of dismissal of the writ petition for non prosecution was known to either of the parties and in view thereof the decree has not been executed till this date. Keeping that in view and considering the reasons stated in the civil application, it is allowed in terms of prayer clause (a) and (b) subject to the applicant depositing Rs.1500/- as cost to be paid to

the Kirtikar Law Library, Appellate Side, High Court, within a period of one week from today. Office is directed to place the writ petition for final hearing, on payment of cost as aforestated, on 1st March, 2007.

(D.B.Bhosale, J.)